24 February 2021

**DECISION**

**HARNESS RACING VICTORIA**

**and**

**REECE MOORE**

**Date of hearing:** 11 February 2021

**Panel:** Magistrate John Doherty (Deputy Chairperson) and Mr Greg Childs.

**Appearances:** Mr Michael Ross appeared on behalf of the Stewards.

Mr Lance Justice appeared on behalf of Mr Moore.

**Charge:** Australian Harness Racing Rule 149(2) states “A person shall not drive in a manner which in the opinion of the stewards is unacceptable”.

**Particulars of charge:** The particulars of the charge being that after showing initial gate speed it was unacceptable to continue urging Artistic Humma forward with the whip and persist in maintaining the position outside the leader when significantly challenged in doing so contributing in recoding a lead time of 40.7 seconds where the average is 43.28 seconds and failing to give Artistic Humma any respite during this section which Stewards considered was beyond the capabilities of the gelding and the main contributing factor in Artistic Humma commencing to give ground passing the 400m to ultimately finish into 9th position beaten 21.8m.

**Plea:** Guilty

**DECISION**

Mr Reece Moore is pleading guilty to the charge issued by HRV Stewards under AHRR 149(2) arising from the Mildura meeting held on 11 September 2020.

At the hearing on 11 February 2020, the appellant did not require any evidence to be tendered in relation to the Rule breach alleged against him.

The Stewards recommended, via correspondence to the Registrar prior to the hearing, that due to Mr Moore now pleading guilty to the charge, the penalty originally imposed of a 6 weeks suspension of a license to drive in races be reduced to a 4 week suspension.

Mr Justice, on behalf of Mr Moore agrees and accepts that the penalty suggested by the Stewards is appropriate under the circumstances. Mr Justice did not wish to make any additional submissions on behalf of the appellant in relation to the penalty suggested by the HRV Stewards.

The parties agree that the penalty commencement date is midnight Thursday, 11 February 2021.

We agree with the submissions on behalf of Stewards and Mr Justice. We impose a penalty of 4 weeks suspension commencing on Thursday 11 February 2021.

Mark Howard
Registrar, Victorian Racing Tribunal